Canadian Union of Public Employees

And its Local 1306

Bylaws

2019

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## INTRODUCTION

Local 1306 of the Canadian Union of Public Employees has been formed to:

* Improve the social and economic well-being of all of its members;
* Promote equality for all members and to oppose all types of harassment and discrimination;
* Promote the efficiency of public services; and
* Express its belief in the unity of organized labour.

The following Bylaws are adopted by Local 1306 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations’ activities. The CUPE National Equality Statement can be found in Appendix “A” to these bylaws.

## SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 1306.

Local 1306 consists of the following units:

The Corporation of the County of Peterborough

The Corporation of the Municipality of Trent Lakes (Unit 1306.1 Roads Unit & Transfer Station Unit)

The Corporation of Cavan-Monaghan (Unit 1306.2) (Roads Unit) and (Parks Unit)

The Town of Bancroft (Unit 1306.6)

The Corporation of the Municipality of Hastings Highlands (Unit 1306.7)

## SECTION 2 – OBJECTIVES

The objectives of Local 1306 are to:

1. Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
2. Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
3. Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
4. Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
5. Establish strong working relationships with the public we serve and the communities in which we work and live; and
6. Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

## SECTION 3 – REFERENCES

1. Masculine pronouns shall be understood to include the feminine gender.
2. Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

## SECTION 4 – MEMBERSHIP

1. Membership

An individual employed within the jurisdiction of Local 1306 or any subunit will become a member of Local 1306 or the appropriate subunit when signing their employment contract with the Employer and paying the initiation fee set out in Section 12(a) of these bylaws.

(b) Oath of Membership

New members will take this oath:

**“I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”**

(c)Continuation of Membership

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(d)Member Obligations

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

## SECTION 5 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 1306 shall be affiliated to and pay per capita tax to the following organization(s):

* The CUPE Ontario Provincial Division
* The Peterborough and Area CUPE Council (not formed to date)

## SECTION 6 – REGULAR, UNIT AND SPECIAL MEMBERSHIP MEETINGS

1. Annual all-members meeting to be held in November at 5:30pm on a date that is convenient for the CUPE Executive, at the local CUPE office or an alternative free venue that is accessible and suitable if available.

Separate meetings for CUPE 1306 Inside and Outside workers will be held on a bi-annual basis or as needed, at a time and location convenient for that group.

Notice shall be provided 14 days in advance of the meeting date.

1. Special membership meetings of Local 1306 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than 10 members. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours’ notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
2. Labour Management Pre and Post meetings may be held at the Douro Depot at the request of the Labour Management Reps/Outside Stewards. The Reps or Stewards will ensure that at least twenty-four(24) hours’ notice of the meeting is given; ensuring the purpose of the meeting is included in the notice; items discussed at these meetings must be relevant only to the Douro Depot Outside workers.
3. Each Unit of the Local shall hold unit meetings at a time and place convenient to the membership of the Unit. Such meetings shall be chaired by the Unit Chairperson or his/her designate. Unit meetings shall follow the procedures and order of business laid out for general membership meetings will be held on a bi-annual basis or as needed, at a time and location convenient for that group. Minutes of these meetings will be forwarded to the CUPE Local President.
4. The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be 10 members, including 3 members of the Executive Board.
5. The order of business at regular membership meetings is as follows:
	1. Roll call of officers
	2. Reading of the Equality Statement
	3. Announcement of new members
	4. Reading and approval of minutes of previous meeting
	5. Matters arising
	6. Treasurer’s report and approving expenditures
	7. Correspondence
	8. Executive Board Report
	9. Reports of committees and delegates
	10. Nominations, Elections, or Oath of Office
	11. Unfinished business
	12. New business
	13. Good of the Union
	14. Adjournment
6. Local 1306 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

## SECTION 7 – OFFICERS

The Officers of Local 1306 shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, the Unit Chairpersons, and three (3) Trustees.

## SECTION 8 – EXECUTIVE BOARD

1. The Executive Board shall include all Officers, except Trustees.
2. The President, Vice-President, Recording Secretary, Treasurer and Chief Steward must all be County of Peterborough Local 1306 employees for governance of the Local purposes.
3. The Executive Board shall meet at least eight (8) times per year or more often as required. Request for Agenda items from the Executive will be issued at least 4 weeks prior to the General Meeting. The agenda will be posted at all work locations on the assigned bulletin boards and will be distributed via email to those members who have provided email addresses to the Union.
4. A majority of the Executive Board constitutes a quorum.
5. The ExecutiveBoard shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
6. The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
7. Should any Executive Board member fail to answer the roll call for three **consecutive** regular meetings, or three **consecutive** regularExecutiveBoardmeetingswithouthavingsubmittedgoodreasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

## SECTION 9 – DUTIES OF OFFICERS AND UNION STEWARDS ALSO INCLUDED IMMEDIATE PAST PRESIDENT AND IMMEDIATE PAST VICE PRESIDENT AND UNION STEWARDS

*“All signing Officers of Local 1306 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.”*

Each Officer of Local 1306 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise. “All signing Officers of Local 1306 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.”

1. The President shall:
	* Enforce the CUPE National Constitution, these LocalUnion bylaws and theEquality Statement.
	* Preside at all membership and Executive Board meetings and preserve order.
	* Decide all points of order and procedure (subject always to appeal to the membership).
	* Have a vote on all matters (except appeals against the President’s rulings) .
	* Ensure that all Officers perform their assigned duties.
	* Fill committee vacancies where elections are not provided for, or delegate authority to another member of the Executive
	* Introduce new members and conduct them through the initiation ceremony.
	* Sign all cheques and ensure that the Local Union’s funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership.
	* Be allowed necessary and reasonable funds, to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense and with supporting receipt(s) attached.
	* Have first preference as a delegate to the CUPE National Convention.
	* On termination of office, surrender all books, seals and other properties of the Local Union to their successor.
2. The Immediate Past President shall:
	* The Executive Board may appoint the Immediate Past President, if they remain in good standing with the Union, to the Executive Board, in the first year of the succession of a new President. If in agreement, the Immediate Past President may assist the Officers and Members by making available to them the benefits of experience in office and shall have full voice but no vote at Executive meetings.
3. The Vice-President shall:
	* If the President is absent or not eligible, perform all duties of the President.
	* Preside over membership and Executive Board meetings in the absence of the President.
	* If the office of the President falls vacant, be Acting President until a new President is elected.
	* Render assistance to any member of the Executive as directed by the Executive Board.
	* On termination of office, surrender all books, seals and other properties of the Local Union to their successor.
4. The Immediate Past Vice-President shall:
	* The Executive Board may appoint the Immediate Past Vice-President, if they remain in good standing with the Union, to the Executive Board, in the first year of the succession of a new Vice-President. If in agreement, the Immediate Past Vice-President may assist the Officers and Members by making available to them the benefits of experience in office and shall have full voice but no vote at Executive meetings.

(e)The Recording Secretary shall:

* + Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (Membership meetings) presented by the Secretary-Treasurer. The record will also include Trustee reports.
	+ Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval.
	+ Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
	+ Keep a record of all correspondence received and sent out.
	+ Prepare and distribute all notices to members.
	+ Have all records ready on reasonable notice for the Trustees or auditors.
	+ Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.
	+ Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union’s funds.
	+ On termination of office, surrender all books, seals and other properties of the Local Union to their successor.
1. The Secretary-Treasurer shall:
	* Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member’s payments, and deposit promptly all money with a bank or credit union.
	* Sign all cheques and ensure that the Local Union’s funds are used only as authorized or directed by the National Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
	* Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including $1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
	* Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
	* Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
	* Make a full financial report to meetings of the Local Union’s Executive Board.
	* Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
	* Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
	* Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
	* Make all books available for inspection by the Trustees and/or auditors on reasonable notice**.** Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
	* Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
	* Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year.
	* Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union’s funds.
	* Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.
	* On termination of office, surrender all books, records and other properties of the Local Union to their successor.
2. The Trustees shall:
	* Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the Committees at least once every calendar year.
	* Make a written report of their findings to the first membership meeting following the completion of each audit.
	* Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union’s funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
	* Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
	* Ensure that proper financial reports have been given to the membership.
	* Audit the record of attendance.
	* Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership.
	* Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
		1. Completed Trustee Audit Program
		2. Completed Trustees’ Report
		3. Secretary-Treasurer Report to the Trustees
		4. Recommendations made to the President and Secretary-Treasurer of the Local Union
		5. Secretary-Treasurer’s response to recommendations
		6. Concerns that have not been addressed by the Local Union Executive Board.
3. The Union Stewards shall:
	1. Generally know the Collective Agreement and Provincial and Federal legislation.
	2. Provide communication and information from the members in the unit to the Executive and from the Executive to the members including distribution of union literature and newspapers.
	3. Conduct union orientation for new employees to the unit.
	4. Maintain contact with members to provide ongoing union awareness and education
	5. Act as first point of contact for issues and/or questions arising at that work place.

## SECTION 10 – DUTIES OF SUB-UNIT POSITIONS

Unit Chairpersons shall

* + Enforce the CUPE National Constitution, these LocalUnion bylaws and theEquality Statement.
	+ Preside at all sub-unit membership meetings and preserve order.
	+ Attend Annual Membership meetings and Annual Executive meetings either in person or via Skype or teleconference to allow long-distance attendance.
	+ Decide all points of order and procedure (subject always to appeal to the membership) at sub-unit meetings.
	+ Provide minutes of the sub-unit meetings to the Local President.
	+ Have a vote on all matters (except appeals against the President’s ruling.)
	+ Fill sub-unit committee vacancies where elections are not provided for.
	+ Introduce new members and conduct them through the initiation ceremony.
	+ On termination of office, surrender all books and other properties of the sub-unit of the Local Union to their successor.
	+ For Units that are Part time and Full time – there must be a representative from each in order to ensure there is appropriate representation for all members
	+ Part-time Chairs must be available for meetings with employers during the Employer’s hours of operation in order to hold this position.

## SECTION 11 - NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS

1. Nominations
	1. Nominations will be received at the annual membership meeting held in the month of November on even or odd-numbered years or as required.
	2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
	3. To be eligible for nomination, a member must be in good standing.
	4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
	5. To be eligible for nomination, a member must be a member in good standing as set out in Article B.8.3 of the National Constitution.
	6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.
2. Elections
	1. The President and Recording Secretary will be elected in even years. The Vice-President and Treasurer shall be elected in odd years. Unit Chairpersons will be elected in even years. Two outside and one inside steward shall be elected in odd years.
	2. At the November general membership meeting; the President will, subject to the approval of the members present, appoint a Returning Officer and assistant(s). They will be members of the Local Union who are neither Officers nor candidates for office. They shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
	3. The Returning Officerwill determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
	4. The Returning Officer will be responsible for issuing, collecting, and counting ballots. The ReturningOfficer must be fair and impartial and see that all arrangements are unquestionably democratic.
	5. The voting will take place at the annual membership meeting in November. The vote will be by secret ballot.
	6. Labour Management Representatives will be elected at a special Outside membership meeting held at the Douro Depot in odd years; two members of the Executive and one Outside Steward must be present for the vote to take place. Notice of this meeting must be posted on the Union Bulletin Board at each of the depots 14 days prior to this meeting taking place.
	7. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
	8. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
	9. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member’s ballot will be declared spoiled.
	10. Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as setout in Section 6(e).
	11. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
3. Unit Elections

Nominations and elections for unit positions will take place after the elections outlined in Section 11(b). Unit nominations and elections will be conducted for the following positions:

* Chairperson
* Steward(s)
* Unit Secretary
* Unit Health & Safety Representative

The voting will take place at the regular unit membership meeting by secret ballot.

1. Installation
	1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for 2 year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.
	2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three year period. No member who has been a signing officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.
	3. The Oath of Office to be read by the newly-elected Officers is:

**“I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an Officer of this Local Union will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.**

**I further promise that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Local Union in my possession to my elected successor.”**

1. By-Election

Should an office fall vacant pursuant to Section 8(g) of these bylaws or for any other reason, the resulting by-election will be held as soon as practical and should be conducted as closely as possible in conformity with this Section.

## SECTION 12 – FEES, DUES, AND ASSESSMENTS

1. Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of $1.00 dollar which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

1. Readmittance Fee

The readmittance fee shall be $1.00.

1. Monthly Dues

The monthly dues shall be 1.5% of regular wages.

* The regular dues of each member of this Union shall not be less than the National per capita tax.
* Union dues shall be established and altered only at a regular or special membership meeting provided that adequate notice has been given and shall be duly authorized by a majority vote of the membership, by secret ballot. (Notice of at least seven days at a previous meeting or 60 days in writing is required)
* Special assessments may be levied in accordance with Article B.4.2 of the

CUPE Constitution.

## SECTION 13 – NON PAYMENT OF DUES AND ASSESSMENTS

Any member in arrears for a period of three months or more will be automatically suspended and the suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. Any member under suspension wishing to be reinstated will, upon application, pay the readmittance fee plus any dues and assessments in arrears. This money will be returned if the application is rejected. A member who has been unemployed or unable to work because of sickness shall pay the readmittance fee but may not be required to pay arrears.

## SECTION 14 – VOTING OF FUNDS

1. Local 1306 will pay out funds under the following circumstances:
	* When the expenditure has received prior authorization through a membership approved budget.
	* When these bylaws approve the expenditure; or
	* Through a vote of the majority of members at a membership meeting.

Authorization to pay per capita tax to CUPE National, CUPE Ontario Division, or any labour organization the Local Union is affiliated with, is not required.

(b) No member of Local 1306 will be allowed to spend any Local Union funds without first having received authorization under Section 14(a) of these bylaws.

## SECTION 15 – HONORARIUMS

Local Union Officers and Committee members shall be provided an honorarium in December for that calendar year as follows:

President: $900.00

Vice-President: $800.00

Recording Secretary: $600.00

Treasurer: $600.00

Unit Chairs $400.00

Unit Secretaries $100.00

Safety Reps: $150.00

Stewards & Chief Steward: $400.00

WSIB rep: $100.00

Negotiation Committee: $100.00

Special Committees: $100.00

Negotiation members that are

attending negotiations on an unpaid day: $50.00/day

Trustees: $50.00/meeting

Labour Management: $25.00/meeting

## SECTION 16 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 1306 is committed to removing barriers within its control so that all members have equal access to participation.

1. When it is practical and demand warrants, Local 1306 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
2. Any member who is on authorized Local 1306 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
3. Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

## SECTION 17 – DELEGATES TO CONFERENCES, CONVENTIONS, EDUCATIONALS AND SPECIAL COMMITTEE MEETINGS AND EVENTS

1. Except for the President’s option [Section 9 (a)], all delegates to conventions**,** conferences, and educationals shall be approved by the Executive.
2. Delegates to the 1306 District CUPE Council shall be elected annually if required. A member responsible for reporting back to the Local Union membershipshallbe appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council.
3. Delegates to the 1306 Peterborough & District Labour Council shall be elected annually if required. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall report at each Local Union membership on proceedings at recent meetings of the Council.
4. All delegates attending conventions, conferences, educationals or special committee meetings and events held outside the member’s town of residence shall be paid transportation expenses (at economy, tourist or coach rates) as per the current County of Peterborough mileage rate, and a per diem allowance of 75 dollars for meals and expenses for multiple day event or 50 dollars for a one day event. The Local Union will reimburse the member’s employer for any loss of wages.
5. Delegates to conventions, conferences, educationals or special committee meetings and events held locally shall have no travel allowance. There shall be a per diem allowance of $30 dollars for meals and expenses incurred by attendance at the convention, conference or educational. The Local Union will reimburse the member’s employer for any loss of wages.
6. Local 1306 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
7. Local 1306 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

## SECTION 18 – COMMITTEES

1. Labour – Management Committee

There shall be a Labour Management Committee composed of 2 Reps of the Union and 2 Reps of the Employer. Additional representation by either party may be required if a particular issue being discussed warrants it. Per diem will be paid only per meeting.

1. Negotiating Committee

This will be a special committee established at least 3 months prior to the expiry of the Local Union’s collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of 5 members, to include the President and Vice President, the others elected at a membership meeting. In the case of the sub-units, the Committee will consist of the President (or designate), Chair and any others designated in the sub-local Collective Agreement. The CUPE Representative assigned to the Local Union and the President shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

All members of Local 1306’s negotiating committee encouraged to attend Level 1 and Level 2 of CUPE’s collective bargaining educationals.

1. Special Committees

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a membership meeting, or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members. The Local Union will reimburse the member’s employer for any loss of wages.

## SECTION 19 – COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

## SECTION 20 – RULES OF ORDER

All meetings of the Local Union will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix “B”. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

In situations not covered by Appendix “B”, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot’s Rules of Order shall be consulted and applied.

## SECTION 21 – AMENDMENTS

1. These bylaws are always subordinate to the CUPE National Constitution (including Appendix “B”) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE National Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE National Constitution.
2. These bylaws will not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven (7) days’ notice at a previous meeting or at least sixty (60) days’ written notice.
3. No change in these bylaws will be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval of the National President.

## SECTION 22 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 1306 bylaws, in paper format. Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with special needs may request a copy of the bylaws in larger font.

## Appendix “A”

## CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE’s policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

## Appendix “B”

## RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than three (3) minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen (15) minutes. With the agreement of the members present, the fifteen (15) minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: “Is the Local ready for the motion?” If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask “Will the main question be now put?” where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, “Will the decision of the chair be upheld?” A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. After a question has been decided, any two members who have voted with the majority can move reconsideration, provided that a motion for reconsideration is made at either the meeting where the decision proposed for reconsideration was made, or at the very next meeting.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.

The Local Union’s business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

## Appendix “C”

## Code of Conduct

Local 1306 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 1306 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

Local 1306 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 1306 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 1306 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 1306 sets out standards of behaviour for members at meetings, and all other events organized by Local 1306. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 1306 we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

* Abide by the provisions of the Equality Statement;
* Respect the views of others, even when we disagree;
* Recognize and value individual differences;
* Communicate openly;
* Support and encourage each other;
* Make sure that we do not harass or discriminate against each other;
* Commit to not engaging in offensive comment or conduct;
* Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
* Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons’ mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 1306, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member’s right to access the trial provisions of the CUPE National Constitution.